

TRANSCRIPT PREPARED BY THE CLERK OF THE LEGISLATURE
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March 25, 1999 LB 72, 73, 324

SENATOR SMITH: Mr. President, I move the advancement of LB 324 to E & R for engrossing.

PRESIDENT MAURSTAD: Thank you, Senator. The question is the advancement of LB 324. Those in favor say aye. Those opposed nay. The bill is advanced. Mr. Clerk, LB 72.

CLERK: Mr. President, LB 72, Senator Tyson would move to return the bill for a specific amendment. (FA56, Legislative Journal page 1108.)

PRESIDENT MAURSTAD: Senator Tyson, you're recognized on your motion to return LB 72 to Select File.

SENATOR TYSON: Thank you, Mr. President, and members of the body. The purpose that I have in returning to Select File is for a specific amendment, and that amendment is a very simple one. As you no doubt recall, LB 72 was LB 73 and Senator Chambers was successful in merging the two. In LB 73, and now, and I'm reading here from amendments to the second final reading copy, the motion, the amendment that I would have in LB 72, if you choose to return it, would reinstate some stricken language, and that language comes from the present 29-1401. It's at the bottom, it's beginning on line 27, the bottom of page 1 of this, and is lines 1, 2 and 3 of page 2. Reading from the statute, the stricken language is: Any grand jury called pursuant to this section shall be limited in its charge, powers, duties, proceedings, indictments, and reports to the review of the incident or incidents to which caused it to be called. Now I believe that this language was originally put in there to protect against what was referred to somewhere as a runaway grand jury. The purpose of my amendment is to return this language in there and I would offer to you that the reason this language would still serve a purpose is to prevent fishing expeditions, especially politically derived fishing expeditions, from a grand jury. That is the sole purpose of my amendment. It is to restore the stricken language. I don't think it calls for much more comment and I would ask you to return it to Select File for that purpose. Thank you.

PRESIDENT MAURSTAD: Thank you, Senator Tyson. For the